

First, it is noted that claim 27 was listed in both Group I and Group II. However, from other information in the Office Action it is believed that claim 27 was intended to be listed only in Group I. If that is a wrong conclusion, then Applicants include claim 27 in their election of Group II.

The Office Action takes the position that the claims of Group I and Group II are related as combination and subcombination, and the details of the subcombination, as recited in claim 28, are not required for the patentability of the combination. It is submitted that very few of the independent claims in Groups I and II share a relationship of combination and subcombination, and that the rationale applied with respect to claim 28 is not appropriate. For example, claim 1 is for a valve, and claim 28 is to a method of preparing coil springs for use in a valve, involving modifying their spring rate. This is not a combination/subcombination relationship. These claims are related as a product and method of making a product. Further, the last phrase in claim 1 calls for a combination of a coil spring and one or more disk springs stacked in a series with the coil spring. This is the same feature that is called for in claim 29, which is a specific way of modifying the spring rate as called for in claim 28. While it is true that claim 1 does not specify that the spring rate is modified to be within  $\pm 2\%$  of a desired spring rate as in claim 28, it is not believed that the degree of closeness to a desired rate need be specified for the patentability of claim 28. Further, the alleged separate utility of the invention of claim 28 (a biasing spring in a shock absorber, automotive coil spring support, a pogo stick, a ball point pen) all fail to consider that claim 28 calls for a method of preparing a coil spring for use in a pressure relief valve. There is no practical utility of the concept of claim 28, measuring and modifying a spring rate, with respect to

these alleged uses. The invention of claim 28 calls for a use in pressure relief valve, which is what claim 1 is directed to.

The same holds true for the other independent claims in Group I. Claim 13 is directed to a method of manufacturing a group of valves, and requires a spring that has its original spring rate modified. Claim 20 is directed to a snap-type safety relief valve, and requires a spring having a modified spring rate. Claim 26 is directed to a combination of outlet piping and a snap-type safety relief valve, and also requires a spring having a modified spring rate. Claim 27 is directed to an improved low-blow-down snap type safety relief valve, and also requires a spring with a modified spring rate. Claim 35 is directed to an improved low blow-down safety relief valve, and also requires a spring having a modified spring rate.

Thus, each of the claims of Group I are related to claim 28, and should be searched and considered with claim 28. Further, it is not seen how claims 20, 26, 27 and 35, directed to an apparatus, can be related to claim 28, a method claim, as a combination and subcombination. If on reconsideration the Examiner still feels that restriction is proper, a better description of the relationship of the claims and a proper application of the restriction rules for that relationship is requested.

In addition to the restriction requirement, the Office Action included a species of election requirement. Applicants elect to prosecute claims directed to the species of methods of modifying a spring rate illustrated in Fig. 10. Out of the Group II claims, claims 28, 31 and 33 are readable on this method, and claim 28 is generic. If the initial restriction between Groups I and II is withdrawn, and this species restriction is retained,

then it is believed that claims 13, 16, 18, 20, 23, 26, 27 and 35 are readable on the elected species, and that claims 13, 20, 26, 27 and 35 are generic.

Respectfully submitted,

/Steven P. Shurtz/

Steven P. Shurtz  
Registration No. 31,424  
Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(312) 321-4200  
Direct Dial: (801) 444-3933